United Nations A/62/815–S/2008/275

General Assembly
Security Council

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General Assembly
Sixty-second session
Agenda items 17, 18, 33 and 108

The situation in the Middle East

Question of Palestine

Report of the Special Committee to Investigate Israeli Practices Affecting the Human Rights of the Palestinian People and Other Arabs of the Occupied Territories

Measures to eliminate international terrorism

Security Council
Sixty-third year

Letter dated 22 April 2008 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I have the honour to submit herewith a letter addressed to you by Manouchehr Mottaki, Foreign Minister of the Islamic Republic of Iran, concerning the tragic situation in the Gaza Strip in the occupied Palestinian territories (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda items 17, 18, 33 and 108, and of the Security Council.

(*Signed*) Mohammad **Khazaee**
Ambassador
Permanent Representative

08-32035 (E) 290408

Annex to the letter dated 22 April 2008 from the Permanent Representative of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General

I wish to draw your attention to the ongoing tragic situation in the Gaza Strip in Palestine. In the past several days, the said region has been yet again witnessing bloody actions and atrocious crimes against humanity perpetrated by the Zionist occupying forces, resulting in the death and injury of hundreds of Palestinians. Exploiting the silence of the international community, and in the absence of appropriate actions by the relevant international forums to discharge their humanitarian and legal responsibilities with regard to the maintenance of the security of nations and safeguarding their rights, the Zionist regime is once again committing abhorrent crimes against the Palestinians, in full contempt for the most basic principles of human rights and other well-recognized international norms and regulations. After a long period of military aggression, all-out blockades, perpetration of brutal crimes and applying unabated political and economic pressures against the innocent Palestinians, particularly the people in the Gaza Strip, the Zionist regime has now put on its agenda the daily massacre of defenceless women, children and men in the said occupied territories, before the eyes of the civilized world.

The question arises for the nations across the globe why the Zionist regime, with its atrocious massacre of the Palestinian people and with its relentless pursuit of State terrorism, has been allowed to continue to be a member of the United Nations. As you are well aware, the said regime is the only member of the United Nations whose membership has been conditional, and it has not fulfilled any of its commitments.

There is no doubt that the continuation of this genocide and actual holocaust will bring about dangerous ramifications for the peace, stability, tranquillity and security of the volatile region of the Middle East and the whole world at large.

On behalf of the Iranian Government and people, and while condemning such Israeli crimes and warning of the possibility of the occurrence of a grave humanitarian disaster in the Gaza Strip, I wish to request you, as the Secretary-General of the United Nations and in line with the legal and humanitarian responsibilities bestowed upon you, to take all necessary measures to stop the inhumane actions of the Zionist regime, and to help alleviate the sufferings of the Palestinian people.

(*Signed*) Manouchehr **Mottaki**
Foreign Minister of the Islamic Republic of Iran

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Sixty-second session
Agenda item 22
Question of Cyprus

Security Council
Sixty-third year

Letter dated 24 April 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

I have the honour to transmit herewith a letter dated 23 April 2008, addressed to you by Murat Soysal, Chargé d'affaires a.i. of the Representation of the Turkish Republic of Northern Cyprus (see annex).

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) Baki **İlkin**
Ambassador
Permanent Representative

08-32041 (E) 300408

Annex to the letter dated 24 April 2008 from the Permanent Representative of Turkey to the United Nations addressed to the Secretary-General

23 April 2008

Upon instructions from my Government, I have the honour to refer to the letter dated 15 April 2008, addressed to you by the Greek Cypriot representative and circulated as a document of the General Assembly and of the Security Council (A/62/803-S/2008/253), which yet again contains well-known allegations of violations of "international air traffic regulations and the national airspace of the Republic of Cyprus", and to bring to your kind attention the following:

As stated in our previous communications addressed to you, habitually repeated allegations by the Greek Cypriot side of so-called "airspace violations" are totally unfounded and are rejected in toto by our authorities. The present allegations do not merit a detailed reply as they are of a similar nature. However, I wish to emphasize, once again, that flights within the sovereign airspace and flight information region of the Turkish Republic of Northern Cyprus take place with the full knowledge and consent of the appropriate authorities of the State. The Greek Cypriot administration in South Cyprus has no jurisdiction or right of say over flights within the national airspace of the Turkish Republic of Northern Cyprus. Furthermore, it should be emphasized that allegations of so-called violations of air traffic regulations are invalid, as the civil aviation authority of the Turkish Republic of Northern Cyprus is the only competent authority to provide air traffic and aeronautical information services.

The Greek Cypriot administration should be reminded, once again, that its counterpart is, and has always been, the Turkish Cypriot side, not Turkey. I also deem it imperative to point out, once again, that the attitude demonstrated by the Greek Cypriot representatives in their constant repetition of false claims is nothing more than rhetoric, which unfortunately wastes the precious time and energy of the international community. I would also like to reiterate our call to the Greek Cypriot side that it should abandon its counterproductive policies and instead concentrate on taking concrete steps towards building trust and confidence between the two peoples on the island, which would also be in line with your latest report on the extension of the mandate of UNFICYP, where you have underlined the significance of the endeavour regarding the lifting of the isolation imposed on the Turkish Cypriots.

I should be grateful if the text of the present letter could be circulated as a document of the General Assembly, under agenda item 22, and of the Security Council.

(*Signed*) Murat **Soysal**
Chargé d'affaires a.i.
Turkish Republic of Northern Cyprus

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The situation in the Middle East

Question of Palestine

Security Council
Sixty-third year

Identical letters dated 25 April 2008 from the Permanent Representative of Israel to the United Nations addressed to the Secretary-General and the President of the Security Council

I write to inform you of a Palestinian terrorist attack that resulted in the death of two Israeli civilians earlier today.

Two Israeli security guards were killed this morning in a shooting attack in an industrial zone near Nitzanei Shalom (literally: "flowers of peace") in the Sharon region. The two men — identified as Shimon Mizrahi, 53, of Bat Hefer and Eli Wasserman, 51, of Alfei Menashe — were security guards in the industrial zone, which was built to provide employment for Palestinians in Israeli factories. The zone is a prime example of the great potential for Israeli-Palestinian cooperation. Islamic Jihad and Hamas claimed responsibility for the terrorist attack.

This attack, like the recent attacks on the crossing points into the Gaza Strip, further demonstrates Hamas' intent to harm as many Israelis as possible and destroy all prospects for coexistence between Israel and the Palestinians. Palestinian terrorism remains the greatest obstacle to peace and security in the region. The Palestinian leadership must stop the violence, dismantle the terrorist infrastructure, end the cycle of impunity, and bring the terrorists to justice. Today's attack underscores the need for security measures in the West Bank, and Israel will continue to defend itself and its citizens from any threat of violence and terrorism.

I should be grateful if you would have the contents of this letter circulated as a document of the General Assembly, under agenda items 17 and 18, and of the Security Council.

(*Signed*) Dan **Gillerman**
Ambassador
Permanent Representative

08-32068 (E) 290408

United Nations S/2008/278

Security Council

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28 April 2008

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United Kingdom of Great Britain and Northern Ireland: draft resolution

The Security Council,

Reaffirming its previous resolutions and the statements of its President concerning the situation in Somalia, in particular resolution 733 (1992) of 23 January 1992, which established an embargo on all delivery of weapons and military equipment to Somalia (hereinafter referred to as the "arms embargo"), resolution 1519 (2003) of 16 December 2003, resolution 1558 (2004) of 17 August 2004, resolution 1587 (2005) of 15 March 2005, resolution 1630 (2005) of 14 October 2005, resolution 1676 (2006) of 10 May 2006, resolution 1724 (2006) of 29 November 2006, resolution 1744 (2007) of 20 February 2007, resolution 1766 (2007) of 23 July 2007, resolution 1772 (2007) of 20 August 2007, and resolution 1801 (2008) of 20 February 2008,

Recalling that, as set out in its resolutions 1744 (2007) and 1772 (2007), the arms embargo on Somalia does not apply to (a) weapons and military equipment, technical training and assistance intended solely for support of or use by the African Union Mission in Somalia (AMISOM), and (b) supplies and technical assistance by States intended solely for the purpose of helping develop security sector institutions, consistent with the political process set out in those resolutions and in the absence of a negative decision by the Committee established pursuant to resolution 751 (1992) (hereinafter referred to as "the Committee") within five working days of receiving an advance notification of such supplies or assistance on a case-by-case basis,

Reaffirming the importance of the sovereignty, territorial integrity, political independence and unity of Somalia,

Reiterating the urgent need for all Somali leaders to take tangible steps to continue political dialogue,

Commending the work of the Special Representative of the Secretary-General, Mr. Ahmedou Ould-Abdallah, and *reaffirming* its strong support for his efforts,

Taking note of the report of the Monitoring Group dated 24 April 2008 (S/2008/274) submitted pursuant to paragraph 3 (i) of resolution 1766 (2007) and the observations and recommendations contained therein,

08-32247 (E) 290408

Condemning flows of weapons and ammunition supplies to and through Somalia in violation of the arms embargo as a serious threat to peace and stability in Somalia,

Reiterating its insistence that all States, in particular those in the region, should refrain from any action in contravention of the arms embargo and should take all necessary steps to hold violators accountable,

Reiterating and underscoring the importance of enhancing the monitoring of the arms embargo in Somalia through persistent and vigilant investigation into the violations, bearing in mind that strict enforcement of the arms embargo will improve the overall security situation in Somalia,

Determining that the situation in Somalia continues to constitute a threat to international peace and security in the region,

Acting under Chapter VII of the Charter of the United Nations,

1. *Stresses* the obligation of all States to comply fully with the measures imposed by resolution 733 (1992);

2. *Reiterates* its intention, in light of the report of the Monitoring Group dated 24 April 2008 (S/2008/274), to consider specific action to improve implementation of and compliance with measures imposed by resolution 733 (1992);

3. *Decides* to extend the mandate of the Monitoring Group referred to in paragraph 3 of resolution 1558 (2004), and requests the Secretary-General to take the necessary administrative measures as expeditiously as possible to re-establish the Monitoring Group for a further six months, drawing, as appropriate, on the expertise of the members of the Monitoring Group established pursuant to resolution 1766 (2007) and appointing new members as necessary in consultation with the Committee, this mandate being as follows:

(a) to continue the tasks outlined in paragraphs 3 (a) to (c) of resolution 1587 (2005);

(b) to continue to investigate, in coordination with relevant international agencies, all activities, including in the financial, maritime and other sectors, which generate revenues used to commit arms embargo violations;

(c) to continue to investigate any means of transport, routes, seaports, airports and other facilities used in connection with arms embargo violations;

(d) to continue refining and updating information on the draft list of those individuals and entities who violate the measures implemented by Member States in accordance with resolution 733 (1992), inside and outside Somalia, and their active supporters, for possible future measures by the Council, and to present such information to the Committee as and when the Committee deems appropriate;

(e) to continue making recommendations based on its investigations, on the previous reports of the Panel of Experts (S/2003/223 and S/2003/1035) appointed pursuant to resolutions 1425 (2002) of 22 July 2002 and 1474 (2003) of 8 April 2003, and on the previous reports of the Monitoring Group (S/2004/604, S/2005/153, S/2005/625, S/2006/229, S/2006/913, S/2007/436 and S/2008/274) appointed pursuant to resolutions 1519 (2003) of 16 December 2003, 1558 (2004) of

17 August 2004, 1587 (2005) of 15 March 2005, 1630 (2005) of 14 October 2005, 1676 (2006) of 10 May 2006, 1724 (2006) of 29 November 2006, and 1766 (2007) of 23 July 2007;

(f) to work closely with the Committee on specific recommendations for additional measures to improve overall compliance with the arms embargo;

(g) to assist in identifying areas where the capacities of States in the region can be strengthened to facilitate the implementation of the arms embargo;

(h) to provide to the Council, through the Committee, a midterm briefing within 90 days from its establishment, and to submit progress reports to the Committee on a monthly basis;

(i) to submit, for the Security Council's consideration, through the Committee, a final report covering all the tasks set out above, no later than 15 days prior to the termination of the Monitoring Group's mandate;

4. *Further requests* the Secretary-General to make the necessary financial arrangements to support the work of the Monitoring Group;

5. *Reaffirms* paragraphs 4, 5, 7, 8 and 10 of resolution 1519 (2003);

6. *Requests* the Committee, in accordance with its mandate and in consultation with the Monitoring Group and other relevant United Nations entities, to consider the recommendations in the reports of the Monitoring Group dated 5 April 2006, 16 October 2006, 17 July 2007 and 24 April 2008 and recommend to the Council ways to improve implementation of and compliance with the arms embargo, in response to continuing violations;

7. *Decides* to remain actively seized of the matter.

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Sixty-second session
Agenda items 69, 86 and 108

Security Council
Sixty-third year

Right of peoples to self-determination

The rule of law at the national and international levels

Measures to eliminate international terrorism

Letter dated 23 April 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

I have the honour to enclose herewith the statement issued by the Ministry of Foreign Affairs of the Republic of Cuba to mark the one-year anniversary of the unconditional release in the United States of America of the notorious international terrorist Luis Posada Carriles, which will fall on 8 May 2008 (see annex).

I should be grateful if you would have this letter and its annex issued as a document of the General Assembly under agenda items 69, 86 and 108 and as a document of the Security Council.

(*Signed*) Rodrigo **Malmierca Díaz**
Ambassador
Permanent Representative

08-32282 (E) 300408 300408

Annex to the letter dated 23 April 2008 from the Permanent Representative of Cuba to the United Nations addressed to the Secretary-General

Statement of the Ministry of Foreign Affairs of the Republic of Cuba

16 April 2008

On 8 May 2008 it will be one year since the terrorist Luis Posada Carriles was unconditionally released in the United States.

Judge Kathleen Cardone handed down that ruling, dismissing the charges brought against Posada by the Government of the United States. The terrorist had been accused only of having committed fraud and having lied to Immigration and Customs Enforcement authorities in order to obtain naturalization in the United States. At the time, Judge Cardone stated that "[t]he realm of this case is not [...] terrorism. It is immigration fraud. Terrorism, and the determination of whether or not to classify an individual as a terrorist, lies within the sound discretion of the executive branch".

The United States Government has not charged Posada for his acts of terrorism, even though it has all the evidence arising from its long-standing relationship with him, as well as the evidence that Cuba has been providing since 1998.

Paradoxically, it was Judge Cardone herself who, in one of her initial rulings, highlighted the fact that Posada is a dangerous terrorist and even listed some of the many crimes committed by this malevolent individual.

Judge Cardone noted that Posada participated in some of the most abhorrent acts of the last century. The long list includes the Iran-Contra scandal, the downing of Cubana de Aviación flight 455, the bombing of tourist sites in Havana in 1997 and the planned assassination of the Commander-in-Chief in Panama in 2000.

The Ministry of Foreign Affairs condemns the complicit failure of the United States Government to act and the protection afforded to Luis Posada Carriles by the Administration of President George W. Bush.

Although it persists in styling itself as the leader of its self-proclaimed "war on terror", the United States Government continues to ignore the request for Posada's extradition, which was submitted on 15 June 2005 by the Government of the Bolivarian Republic of Venezuela.

President George W. Bush refuses to try Posada for what he really is — a terrorist — thereby blatantly violating his own legislation and his international obligations and demonstrating, once again, his personal commitment to Miami's Cuban-American mafia.

The release of the terrorist and former Central Intelligence Agency operative shows that his pedestrian trial in the United Nations is a farce.

The ridiculous and shameful efforts by the prosecution service to delay, on repeated occasions, the immigration fraud case amount to dilatory legal tactics

designed to impede the delivery of justice, which, in this case, has been postponed for an extraordinary length of time.

Those efforts are in stark contrast to the aggressive attitude of the same prosecution service when dealing with the case of our Five Heroes, anti-terrorist crusaders, some of whom were sentenced to life imprisonment during a dubious trial held before a biased court in Miami.

Meanwhile, the terrorist's legal team has been granted numerous extensions to pursue the endless immigration case, which carries no guarantee of a penalty, however minimal, for the released terrorist.

The terrorists Santiago Álvarez, Osvaldo Mitat and Ernesto Abreu have received equally lenient treatment. On 11 February 2008, Judge David Briones sentenced them to 10, 8 and 2 months' imprisonment, respectively, for having refused to testify against Posada after having brought him illegally to the United States on board the vessel *Santrina*.

The same thing happened with his accomplices, Rubén López Castro and José Pujol, who, on 17 March 2008, were sentenced by Judge Cardone on the same grounds to 10 and 3 months' imprisonment and fines of $500 and $250, respectively.

The peaceful life led by the terrorist Luis Posada Carriles in Miami, under the protection of the United States Government, is yet another item on the long list of abuses, violations and atrocities for which the Bush Administration will be remembered.

How could we forget the secret kidnapping of individuals all over the world and the sanction of torture, all on the pretext of the fight against terrorism?

With only nine months of its term remaining, it is becoming clear that the legacy of this Administration in the fight against terrorism will be hypocrisy and the lack of political will to combat that phenomenon if doing so does not benefit North American political interests.

The impunity guaranteed to Luis Posada Carriles by the United States Government is further evidence that our nation needs to defend itself against anti-Cuban terrorism originating from and funded by that country.

On 12 September 2008, our Five Heroes will have been unjustly and cruelly detained for 10 years in United States prisons for having fought against terrorism.

The Ministry of Foreign Affairs confirms that the Cuban people will continue to demand that the criminal be brought to justice.

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United Nations S/2008/280

Security Council

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28 April 2008

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Letter dated 28 April 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

Since certain baseless allegations were made against the Islamic Republic of Iran by the representative of the United States at today's meeting of the Security Council on Iraq, I wish to bring to your attention the position of my delegation on the said unfounded allegations, as contained in the annex to this letter.

I should be grateful if you would bring the content of this letter and its annex to the attention of the members of the Security Council, and circulate it as a document of the Council.

(*Signed*) Mehdi **Danesh-Yazdi**
Ambassador
Chargé d'affaires a.i.

08-32156 (E) 290408

Annex to the letter dated 28 April 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the President of the Security Council

Response by the Permanent Mission of the Islamic Republic of Iran to the allegations made against Iran by the representative of the United States at the Security Council meeting on Iraq on 28 April 2008

The Security Council heard, today, certain unfounded allegations against the Islamic Republic of Iran by the representative of the United States. Since the format of the meeting of the Security Council did not allow us to express our views on the said allegations by making a statement at the Council's meeting, we wish to bring the following to your esteemed attention and that of the Council members:

We reject the groundless allegations made against Iran by the said representative at today's meeting of the Council. It is not the first time that the international community is witness to the United States baseless allegations and even its fabrication of so-called evidence against other nations, in order to pursue certain ill-intended and politically motivated national goals. To date the United States has not ever come up with any single piece of reliable evidence that would corroborate its claims against Iran — simply because there is no such evidence and because these allegations are totally unfounded.

Iran has, time and again, condemned all acts of violence and terrorism in Iraq. It has strongly condemned the attacks on the Green Zone where the Iraqi Government's offices and diplomatic missions are located, as it has condemned the attacks on residential areas in Iraq, including those in Sadr City and Basra. Iran has also unambiguously supported the Iraqi Government's efforts against outlaw gangs in the country. Iran has itself been subject to terrorism and suffered from terrorist acts committed in and originating from Iraq, due to the tacit and explicit support by the United States Government extended to certain terrorist groups stationed and operating in that country.

Undoubtedly, as an immediate neighbour, Iran stands to benefit highly from stability, security and prosperity in Iraq, as it will immensely suffer from insecurity and instability in that country. Iran's best interest lies in a democratic and prosperous Iraq at peace with itself and with its neighbours. The Islamic Republic of Iran has taken significant steps at the highest level to strengthen partnership and cooperation with Iraq. As is mentioned in the latest report of the Secretary-General, Iran's President is the highest ranking official from the region who has visited Iraq to promote the friendly and brotherly relations that so happily exist between our two countries. We have already implemented many short-term and long-term programmes aimed at promoting economic cooperation between the two countries in the areas of development, energy, education, health, industry, transportation, investment, trade, tourism, financing and so forth, and are actively in the process of implementing more such projects. Iran has also pledged $10 million to Iraq's Reconstruction Fund, while a line of credit of $1 billion has also been allocated to cover the implementation of economic plans.

Iran's support to the Iraqi political process and its efforts to assist Iraqis in their quest for peace, national harmony and reconstruction has been unabated and will remain unreserved.

In view of the above and given Iran's constructive and transparent policies and practices towards Iraq, it is ridiculously false to suggest that the Islamic Republic of Iran would take any steps that would contribute to the insecurity in Iraq. It is not the first time that the United States Government maliciously insists on demonizing Iran for Iraq's problems in a futile effort to obfuscate the real sources of the instability in Iraq — that is the continuation of foreign occupation and certain wrong policies and practices on the part of the occupying forces. Instead of scapegoating others for United States policy failures in Iraq, the United States Government should address its own wrong policies and practices in the country in an honest and sincere manner, and desist from deceiving its own public opinion and that of the international community.

United Nations S/2008/281

Security Council

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Sixth report of the Secretary-General on the United Nations Integrated Office in Sierra Leone

I. Introduction

1. By its resolution 1793 (2007), the Security Council extended the mandate of the United Nations Integrated Office in Sierra Leone (UNIOSIL) until 30 September 2008 and requested me to submit by 31 January 2008 a completion strategy for UNIOSIL that included a 20 per cent staff reduction by 31 March, a continued mission at 80 per cent of the original strength until 30 June and the termination of the UNIOSIL mandate by 30 September 2008. The Council also requested me to submit specific proposals on the mandate, structure and strength of the post-UNIOSIL office in my report of April 2008. The present report provides an update on the progress made by the mission in implementing its mandate since my last report on Sierra Leone, dated 4 December 2007 (S/2007/704), presents further information on the completion strategy of UNIOSIL and sets out my proposals on the mandate, structure and strength of the post-UNIOSIL office.

II. Major developments

Political situation

2. During the reporting period, the Government of Sierra Leone continued to make commendable efforts to implement its agenda for peace consolidation and economic recovery. On 12 and 13 January, the President, Ernest Bai Koroma, convened his first presidential retreat for Cabinet ministers, deputy ministers and other key government officials at Bumbuna, Tonkolili District, in the Northern Province, to discuss his vision and strategies for moving the country forward through an agenda for change. The President focused on six priority areas: energy and water supply; transportation by road, air and water; youth unemployment; economic growth sectors, including agriculture, mining, fisheries and marine resources, and tourism; social services, including education, health care and housing; and capacity development in the public and private sectors, in local government and in the justice system. At the conclusion of the retreat, it was agreed that each Minister would enter into a contractual agreement with the President which would allow the Minister's performance in meeting agreed targets to be monitored and assessed by the President on a periodic basis. These contracts have since been signed.

08-31833 (E) 010508

3. Political tension between supporters of the All People's Congress party (APC) and the Sierra Leone People's Party (SLPP) continues to be a concern. At the conference of its national executive council, held on 11 and 12 January, SLPP adopted a 10-point resolution, in which, inter alia, it called on the Government to immediately dissolve the National Electoral Commission and remove the Chairperson before the local council elections to be held on 5 July. It also condemned what it described as the continued "intimidation, harassment and molestation" of SLPP members and the dismissal of public officials perceived to be supporters of SLPP by the APC Government.

4. On 13 February, the High Court of Sierra Leone dismissed the case brought by SLPP in December 2007, which challenged the decision of the National Electoral Commission to invalidate votes cast in 477 polling stations during the presidential run-off elections of 8 September. The High Court ruled that it had no jurisdiction under the 1991 Constitution of Sierra Leone to entertain any proceedings concerning the election of a president. SLPP has since signalled its intention to appeal against the decision of the High Court.

5. On 27 February, following the defacing of a life-size portrait of President Koroma by unidentified individuals in Bo Town in the Southern Province, a crowd of alleged APC sympathizers vandalized and looted the SLPP regional office in Bo and attempted to attack city council officials who had earlier questioned the legality of erecting the portrait in the centre of the town without their approval.

6. During the reporting period, President Koroma held meetings with the SLPP minority leader in Parliament, included SLPP members in his delegation for official visits abroad and undertook reconciliation visits to Kenema in the Eastern Province and Bo in the Southern Province, areas that are generally considered to be SLPP strongholds.

7. On 5 April, the National Electoral Commission announced that APC had won all four seats in the parliamentary by-elections of 29 March, which were held to fill vacancies that had arisen following the appointment of the incumbents to ministerial positions. All four incumbents had been elected in the parliamentary elections of July 2007 on the APC ticket. Although voter turnout was low (24.8 per cent), the by-elections were well organized and ran smoothly.

III. Security situation

8. The security situation in Sierra Leone has remained relatively calm. The main threats to stability include the high numbers of unemployed young people, poor economic and social conditions, exacerbated by the rising price of food commodities and gasoline, and unresolved political and ethnic tensions. The security situation along the borders with Liberia and Guinea remains generally stable. However, the territorial dispute between Sierra Leone and Guinea over the border town of Yenga is still not settled. The Government of Sierra Leone has expressed its commitment to resolving this issue through dialogue.

IV. Reform of the security sector

A. Sierra Leone police

9. UNIOSIL continued to work with the United Kingdom Department for International Development (DFID) to strengthen the Sierra Leone police by providing training, mentoring, management development, and technical and policy advice to the police. During the reporting period, the mission supported training activities designed to enhance and strengthen the institutional capacity of the Sierra Leone police in crowd control and public order management in preparation for the local council elections on 5 July. The mission also supported and mentored the Sierra Leone police election planning secretariat in the development and implementation of a security operational plan and budget for the parliamentary by-elections of 29 March. It is currently helping the Sierra Leone police to develop a security operational plan and budget for the local council elections of 5 July.

10. UNIOSIL supported the police in developing and organizing a two-week traffic management training workshop for 115 Sierra Leone police officers and traffic wardens from 11 to 22 February. Participants received training on the revised Road Traffic Act, as well as on police procedures for traffic investigations and managing traffic congestion, community-based approaches to traffic management, police ethics and professional standards. The mission also assisted with the pre-deployment training of 20 Sierra Leone police officers, including three women, who are now serving with the African Union-United Nations Hybrid Operation in Darfur. This is the largest contingent of Sierra Leone police officers to participate in a United Nations peacekeeping operation.

11. In February, the Sierra Leone police released the results of the 2007 perception survey, which was a collaborative project of the Sierra Leone police and the United Kingdom-supported Justice Sector Development Programme. The survey indicated that there has been considerable improvement in community satisfaction with police performance in crime prevention and safety since 2006.

12. In February, the Sierra Leone police also released its crime statistics report for 2007, which indicated that, while reported cases of crime had decreased, serious felonies such as robbery with violence, rape and murder had increased. To strengthen the capacity of the Sierra Leone police to address this trend, the Justice Sector Development Programme and UNIOSIL assisted the police to develop and implement a training programme for senior and middle-level managers in criminal investigations and crime intelligence, and for doctors in forensic pathology. The two-year training programme, which began in March, is being funded by DFID.

B. Republic of Sierra Leone Armed Forces

13. UNIOSIL continued to support the efforts of the United Kingdom, through the International Military Advisory and Training Team and DFID, to reform and restructure the Republic of Sierra Leone Armed Forces. It also liaised with the armed forces to report on the security situation in the country and to make recommendations concerning external and internal security threats.

14. Following a comprehensive review undertaken by the Ministry of Defence with the support of the International Military Advisory and Training Team, the Government of Sierra Leone approved a further reduction of the armed forces, from

10,500 to 8,500 troops, to be completed by 2010. On 12 March, the Minister of Defence announced that the reduction would be achieved through a process of retrenching those who had been wounded in combat, those who are mentally and chronically ill, as well as those who have either reached the retirement age of 55 years or who voluntarily retire. In the event that the ceiling of 8,500 troops is still not reached, compulsory retirement procedures would be implemented. He also indicated that personnel made redundant would be offered job skills training.

15. The Republic of Sierra Leone Armed Forces continued to face serious financial and logistical challenges, including the inadequate supply of fuel and lubricants to operate vehicles and generators. In addition, military personnel and their families are still living in overcrowded, substandard conditions at the main barracks in Freetown, with limited access to safe drinking water and proper sanitation. Efforts are currently being made to upgrade the three military barracks in Freetown with funds provided by the Peacebuilding Fund.

16. UNIOSIL is working with the Sierra Leone police and the Republic of Sierra Leone Armed Forces to enhance gender mainstreaming in both institutions in line with Security Council resolution 1325 (2000), and to develop and strengthen the policy and procedures relating to sexual harassment, discrimination and abuse in the work place. The mission's activities include supporting the development of policy guidelines and a code of conduct on sexual exploitation and abuse, as well as providing training to enhance the capacity of police and military personnel to address incidents of sexual assault, domestic violence, physical assault, and cruelty to children.

V. Preparations for local council elections on 5 July

17. Preparations are continuing for the local council elections to be held on 5 July. The elections will cover the five city councils of Freetown, Bo, Kenema, Koidu-New Sembehun and Makeni, the Bonthe Township Municipal Council, and 13 district councils. During the reporting period, the National Electoral Commission completed a staff restructuring exercise and appointed three new electoral commissioners.

18. UNIOSIL continued to provide technical assistance to the National Electoral Commission for the local council elections. A United Nations electoral assistance team is currently assisting the Commission in the planning of its electoral operations, the updating and exhibiting of the voter register, procurement of election materials, the review of the electoral legal framework, procedures and training programmes. With the assistance of a United Nations boundary delimitation expert, the Commission also completed the demarcation of 394 wards for the elections.

19. All funds required for the local council elections, estimated at $24.8 million, have either been pledged or received from donors. DFID, which was the largest single donor, made a pledge of £5.5 million, while the European Union pledged €3.7 million, Irish Aid €1 million, Denmark €389,000 and Japan $700,467. The Government has already provided $1.3 million of its $3.2 million pledge. Meanwhile, the United States Agency for International Development is providing financial assistance to both the National Electoral Commission and the Political Parties Registration Commission, which is responsible for regulating the activities of political parties.

VI. Economic sector

20. The economic situation in the country remains fragile. During the reporting period, there were significant increases in the global price of food and gasoline, which directly affected the price of those commodities in Sierra Leone. This has placed a considerable strain on the country's already fragile economy, since almost 70 per cent of the rice consumed in the country is imported. The Government has promised to work towards achieving self-sufficiency in rice production by 2010.

21. While the Government has taken some measures to expedite the economic recovery process, including by enhancing dialogue with its development partners, a substantial injection of foreign investment is required to enable the Government to fulfil its campaign promise of turning the economy around within three years.

22. During the reporting period, the Government focused on improving the supply of electricity in the country. With the assistance of its international partners, the Government obtained $45 million to carry out work on the Bumbuna Hydroelectric Project, which on its completion would significantly increase the supply of electricity throughout the country. The project is expected to be completed by December 2008. In the meantime, in February, the Government commissioned a 10 megawatt station in Freetown, which has boosted the supply of electricity in the city.

23. A mission from the International Monetary Fund (IMF) visited Sierra Leone from 20 February to 4 March to review the country's performance under the Poverty Reduction and Growth Facility and to discuss an economic programme for 2008. The IMF mission noted that, while domestic output growth had risen by 6.8 per cent, it was still below the projected growth rate of 7.4 per cent. The mission advised the Government to increase the pace of implementation of its structural reforms, which include modernizing the National Revenue Authority, adopting a strategy to reform the financial sector and strengthening the Anti-Corruption Commission.

VII. Social sector

24. On 22 February, during a visit to Sierra Leone, the United Kingdom Secretary of State for International Development announced that DFID would provide £32 million over a five-year period for infrastructural improvements to water supply, sanitation and hygiene education in the country.

25. On 29 February, President Koroma launched the Reproductive and Child Health Strategic Plan for 2008 to 2010, which aims at reducing the current maternal, under-5 and infant mortality rate by 30 per cent by 2010. In support of the Plan, the United Nations Children's Fund (UNICEF), the United Nations Population Fund, the World Food Programme and the World Health Organization in Sierra Leone have jointly developed a programme that covers immunization, basic and comprehensive emergency obstetric care, and the prevention and management of malnutrition.

26. The plan for launching the Child Rights Act adopted by Parliament in June 2007 has been finalized and an advocacy meeting to mobilize partners around the implementation of the plan is scheduled for the second quarter of 2008. In the meantime, UNICEF supported the Ministry of Social Welfare, Gender and

Children's Affairs in developing minimum standards of care and protection for homes for orphans and vulnerable children.

27. Preparations have been completed to conduct a census of teachers, which will form the basis for developing a teacher-training policy. With the assistance of UNICEF, the Ministry of Education is in the process of conducting a study on "out-of-school" children to identify barriers preventing children of school-going age from attending and completing their primary schooling. The study will also focus on potential strategies for ensuring that 30 per cent of the children who are currently out of school are enrolled.

VIII. Enhancing democratic governance

28. During the reporting period, the United Nations provided support to the Government's efforts to enhance democratic governance in three key sectors: the legislative and electoral sector, the public sector and the justice sector. Programmatic support to each of these sectors focused on both institutional and structural capacity development. The United Nations also supported the Government in its efforts to decentralize its authority, review the 1991 Constitution and combat corruption.

A. Support to Parliament

29. UNIOSIL and the United Nations Development Programme (UNDP), together with other international partners, facilitated the establishment of a working group to coordinate technical and capacity-building support to Parliament to strengthen its oversight role and to sensitize Members of Parliament on their role in a democratic dispensation.

30. The United Nations is also working with Parliament and other key stakeholders, including the Inter-Parliamentary Union, to develop a comprehensive coordinated capacity development programme for parliamentarians. During the reporting period, UNIOSIL and UNDP, in collaboration with other development partners, organized basic induction training for new Members of Parliament on their legislative, representative and oversight functions, as well as training in budgeting and financial appropriations. In addition, UNIOSIL, in coordination with civil society representatives, is organizing seminars on the Extractive Industries Transparency Initiatives and on mining legislation. During the reporting period, UNDP donated office equipment, including computers, scanners, digital photocopiers and printers, to Parliament.

B. Support to the reform of the public sector

31. During the presidential retreat referred to in paragraph 2 above, the President identified the comprehensive restructuring of the public sector, especially the civil service, as one of his key priorities. The President has appointed a Director for Public Service Reform who reports directly to him. Moreover, with the assistance of UNDP, the Government is in the process of establishing a Strategy and Policy Unit in the President's Office, which will function both as a think tank and as the technical operational arm of the Presidency on strategic and policy planning issues. It will also work closely with the Public Sector Reform Unit in implementing the Government's public sector reform agenda.

C. Support to developing the capacity of the justice sector

32. The capacity of the justice sector institutions is being built gradually. On 19 February, President Koroma launched the Sierra Leone Justice Sector Reform Strategy and Investment Plan for 2008 to 2010, which focuses on creating safe communities, providing access to justice, strengthening the rule of law and improving the delivery of justice. The Justice Leadership Group, comprising the Minister of Justice, the Minister of Internal Affairs and the Chief Justice, has been given overall responsibility for the implementation of the strategy. In addition, a Justice Sector Coordination Office has been established in the Ministry of Justice to facilitate the day-to-day implementation of the strategy.

33. During the period under review, UNDP supported the Government's efforts to increase access to justice throughout the country by setting up temporary courts to assist in clearing long-outstanding cases. It also helped to refurbish and equip court facilities.

D. Support to anti-corruption efforts

34. With the assistance of DFID, the Anti-Corruption Commission has developed a strategic workplan. It has also established a Department of Investigation, Intelligence and Prosecution and relocated anti-corruption prosecutors from the Office of the Attorney General to the Commission.

35. During the presidential retreat referred to in paragraph 2 above, the Chairman of the Anti-Corruption Commission advised the participants that the Commission had developed a three-pronged approach of prevention, education and prosecution to address corruption. He underlined the importance of obtaining declarations of assets from public officials, monitoring the procurement process and ensuring transparency in the conduct of Government business. He also highlighted the importance of enacting legislation that would give the Commission power to prosecute corruption cases and of the importance of sensitizing the public about fighting corruption.

36. On 27 February, the Cabinet approved a new national anti-corruption strategy, following a comprehensive review process, which was supported by UNIOSIL and other international partners. A unit has been established within the Anti-Corruption Commission to coordinate and monitor the implementation of the strategy. Despite the progress made, the Anti-Corruption Commission continues to suffer from severe personnel, financial and logistical deficiencies. A human resource needs assessment is currently being carried out, with the support of DFID, to determine the needs of the Commission.

37. On 17 April, the Commission arrested the former Ombudsman, Francis Gabbidon, for alleged offences under the Anti-Corruption Act of 2000 during his tenure as Ombudsman from 2000 to 2007. He has since been released on bail.

E. Devolution of power and decentralization

38. Some progress was made in implementing the Government's decentralization programme and in devolving power to the local councils in the districts. However, the Government still needs to conduct a comprehensive review of the Local Government Act of 2004 and to clarify the roles and responsibilities of the chiefdom administrations and local councils. The local councils also require assistance in

building their capacities to carry out their work effectively and efficiently, and in mobilizing and managing public resources.

F. Constitutional review

39. On 10 January, the Constitutional Review Commission established by the Government submitted its report to President Koroma. The Commission proposed 136 amendments to the 1991 Constitution, 15 of which are amendments to "entrenched" provisions that will require approval by national referendum. Regrettably, several recommendations made by the Truth and Reconciliation Commission and provisions relating to the protection and promotion of human rights and fundamental freedoms were not included.

IX. Human rights and the rule of law

40. Considerable progress has been made in promoting respect for human rights, particularly in building the capacity of the national Human Rights Commission to monitor, protect and promote human rights and to review the status of implementation of the recommendations of the Truth and Reconciliation Commission. With support from UNIOSIL and UNDP, the Human Rights Commission has established fully functioning offices, recruited some core staff, completed a brainstorming retreat for the development of a five-year strategic plan, developed rules of procedure for the handling of complaints and created a framework for the production of its first human rights report. It is also in the process of finalizing its administrative and human resource manual, as well as its financial policies. During the reporting period, the Commission received and investigated 70 complaints with the support of the United Nations.

41. Some progress was also made in building the capacity of State institutions to address the root causes of the conflict. Several training programmes on human rights, the rule of law, women and children, and the findings of the Truth and Reconciliation Commission were conducted by UNIOSIL for representatives of civil society and officials of key Government ministries, including local government.

42. Notwithstanding these positive developments, a number of challenges remain to the full realization of human rights. The justice system and the response of the Government to sexual and gender-based violence, including domestic violence, rape, and female genital mutilation, are still weak. The impunity with which these abuses are committed continues to pose a threat to the basic human security of women. In addition, during the reporting period, little progress was made in reducing the excessive number of adjournments and remand of cases and prolonged pretrial detentions, or in strengthening the prosecutorial capacity of the Ministry of Justice. In addition, the practice of hiring judges on contract with higher compensation packages than salaried judges continued. Many courts continue to be understaffed and underequipped. There are now 19 magistrates and 13 State counsels.

43. The Presidential Task Force set up to review and make recommendations to address the problems being experienced by the justice sector submitted its report to President Koroma on 25 January. It recommended, inter alia, the adoption of legislation for the control of drugs and dangerous substances, the establishment of

fast track courts for commercial and land cases, and the establishment of an accounting system within the judiciary.

44. Although the report of the Truth and Reconciliation Commission has been widely disseminated, implementation of its recommendations remains slow. While some recommendations, such as the adoption of the Gender Act and the Child Rights Act, have been implemented, a number of key recommendations, including the reparation programme for war victims, the ratification and domestication of key international instruments, and the submission of country reports to international treaty bodies, have yet to be implemented.

X. Implementation of Security Council resolution 1325 (2000)

45. The UNIOSIL Gender Task Force worked closely with the Ministry of Social Welfare, Gender and Children's Affairs to sensitize the public about, and develop a national workplan for, the recently enacted Gender Act. However, the national action plan for the implementation of Security Council resolution 1325 (2000) has not yet been established, owing to the lack of financial resources and weak institutional capacity of the Ministry of Social Welfare, Gender and Children Affairs.

46. UNIOSIL and the United Nations country team continued to focus on accelerating the process of women's empowerment in critical areas of national life in line with Security Council resolution 1325 (2000). UNIOSIL supported several women's advocacy groups in evolving strategies for increasing women's participation in the electoral process. Moreover, in collaboration with the Political Parties Registration Commission, UNIOSIL continued to encourage political parties to promote gender equity and youth empowerment by increasing the number of women candidates in the local council elections of 5 July.

47. In further efforts to enhance the role of women in the political process, UNIOSIL convened a series of meetings with the Ministry of Social Welfare, Gender and Children's Affairs, political parties, women parliamentarians, women groups and international partners to explore ways of increasing women's representation in the local council elections. As a result of the consultations, a national steering committee was established and a five-month workplan with benchmarks was produced. The workplan addressed four priority areas, including building the capacity of women parliamentarians, increasing the number of women in public offices, building the capacity of potential women candidates to participate in the local council elections and voter education. In close concert with the United Nations Development Fund for Women, UNIOSIL has intensified efforts to raise donor funding for the implementation of the workplan.

XI. Public information/United Nations Radio

48. UNIOSIL continued to promote a culture of peace, dialogue and participation through a variety of outreach activities, including sensitizing the public about the mission's activities, providing on-the-job training for media practitioners, conducting press briefings and interviews with high-level United Nations officials and supporting activities commemorating official United Nations days.

49. A consortium of national and international stakeholders has been established to take over the assets of United Nations Radio following the departure of UNIOSIL. The consortium comprises the Independent Radio Network, Talking Drum Studio, the BBC World Service Trust, Fourah Bay College, including Radio Mount Aureol and Cotton Tree News, and the Hirondelle Foundation of Switzerland. The United Nations and the consortium are supporting the Government's efforts to transform the State broadcaster, the Sierra Leone Broadcasting Service, into an operationally autonomous national public service broadcaster with the ultimate goal of integrating the post-UNIOSIL independent public service radio with the restructured Sierra Leone Broadcasting Service. The transformation will require a legal framework and at least two years of capital investment and training.

XII. Activities of the Peacebuilding Commission and the Peacebuilding Fund

50. The Sierra Leone Peacebuilding Cooperation Framework, which was adopted by the Government of Sierra Leone and the Peacebuilding Commission on 12 December 2007, was approved by the Cabinet in January. Since its adoption, the Commission has focused on obtaining support for the implementation of the commitments contained in the Framework, broadening the donor base for Sierra Leone, as well as initiating new activities and completing existing activities in peacebuilding priority areas. In February, the Governments of Sierra Leone and the Netherlands circulated joint advocacy letters encouraging all stakeholders to support the implementation of the Cooperation Framework either through existing programmes or by initiating new efforts.

51. UNIOSIL continued to provide support for the work of the Peacebuilding Commission by advising the Government on the implementation of its commitments as outlined in the Cooperation Framework and by facilitating regular meetings on the priority programmes of the Commission. UNIOSIL supported the planning and organization of meetings to mobilize assistance for the local council elections and the implementation of the emergency energy sector plan.

52. The Chairman of the Sierra Leone country-specific configuration, Frank Majoor, the Permanent Representative of the Netherlands to the United Nations, visited Sierra Leone from 21 to 25 April to prepare for the high-level stakeholders consultation to be held in New York on 19 May to generate support for the implementation of the Cooperation Framework.

53. With respect to the Peacebuilding Fund, some 47 per cent of the $35 million allocated to Sierra Leone has been committed through seven projects that were approved from May to July 2007. The implementation of three of the projects has been completed. They cover support to the National Electoral Commission, capacity-building for the Sierra Leone police and emergency support for the national security forces. Implementation of three of the four remaining projects is ongoing. They deal with support to the Human Rights Commission, support to a water and sanitation facility at the Wilberforce barracks in Freetown, and support to the judiciary in clearing a backlog of pending cases. Preparations are continuing for the implementation of the fourth project, the Youth Enterprise Development Project.

XIII. Support to the Special Court for Sierra Leone

54. UNIOSIL is continuing to provide logistical support to the Mongolian Guard Force protecting the Special Court for Sierra Leone. However, the mission is consulting with the United Nations Mission in Liberia and the Special Court on the arrangements for the handover of support responsibilities prior to the expiration of its mandate.

XIV. HIV/AIDS

55. The United Nations country team continued to provide technical and financial support to the Government's efforts to combat HIV/AIDS. On 22 April, the country team and development partners took part in a consultative meeting to strengthen coordination, alignment and harmonization of its support to the Government. Meanwhile, on 17 April, the National AIDS Council, which oversees the national response to AIDS, held its first meeting under the chairmanship of the President. Moreover, the National AIDS Secretariat has initiated a review of the National Strategic Plan on AIDS for 2006-2010.

XV. Personnel conduct and discipline

56. The Conduct and Discipline Unit of UNIOSIL continued to train and sensitize mission personnel on United Nations rules and regulations, as well as on the prevention of sexual exploitation and abuse in compliance with the Secretary-General's zero-tolerance policy on sexual exploitation and abuse. During the reporting period, no cases of sexual exploitation and abuse or misconduct were reported against UNIOSIL personnel.

XVI. Downsizing/drawdown of UNIOSIL

57. In my letter dated 31 January addressed to the President of the Security Council (S/2008/63), I advised the Council that there would be a reduction of some 62 posts, representing 20 per cent of the authorized staffing complement of UNIOSIL, by 31 March. I am pleased to report that the reduction has been completed, bringing the staffing strength of UNIOSIL from 309 to 247 civilian staff. The reduction exercise involved 15 international personnel, 43 national staff and four United Nations Volunteers. UNIOSIL has also streamlined tasks within the affected components of the mission to ensure that it continues to effectively perform its remaining tasks.

58. Following the local council elections on 5 July, UNIOSIL will gradually reduce its remaining civilian staff through a process of attrition, including reassignment of personnel to other peacekeeping operations and expiration of staff contracts. It is estimated that 60 support personnel will be needed to complete the liquidation of UNIOSIL, which is expected to take place between October and December. Some substantive staff will also be required to ensure a smooth transition and handover from UNIOSIL to the follow-on office.

59. As indicated in my letter to the President of the Security Council, 5 of the 22 UNIOSIL police advisers will leave the mission between March and August. The remaining 17 police advisers will depart the mission by 30 September. There are currently 11 military liaison officers in UNIOSIL. These will be drawn down as follows: one officer in July, four officers in August and six officers in September.

XVII. United Nations Integrated Peacebuilding Office in Sierra Leone

60. By its resolution 1793 (2007), the Security Council expressed its intention that, upon the expiration of its mandate, UNIOSIL should be replaced by a United Nations integrated political office, and requested me to submit specific proposals on the mandate, structure and strength of that office in the present report. Following consultations among the Department of Political Affairs, UNDP, the Peacebuilding Support Office, the Office of the United Nations High Commissioner for Human Rights (OHCHR), the Department of Economic and Social Affairs, the Department of Peacekeeping Operations, the Department of Field Support, UNIOSIL, the United Nations country team and the Government of Sierra Leone, I would propose that UNIOSIL be succeeded in October by the United Nations Integrated Peacebuilding Office in Sierra Leone (UNIPSIL) for an initial period of one year.

A. Mandate of the United Nations Integrated Peacebuilding Office in Sierra Leone

61. By its resolution 1793 (2007), the Council also expressed its intention that the successor office should focus on carrying forward the peacebuilding process, mobilizing international donor support, supporting the work of the Peacebuilding Commission and Fund, and completing any residual tasks left over from the UNIOSIL mandate, in particular promoting national reconciliation and supporting the constitutional reform process. In this regard and in the light of the consultations among the various stakeholders referred to in paragraph 60 above, I would propose that UNIPSIL be mandated to assist the Government of Sierra Leone in, inter alia:

(a) Providing political support to national and local efforts for identifying and resolving tensions and threats of potential conflict, especially over political affiliation, ethnicity, and natural resources before the eruption of violence;

(b) Completing and consolidating good governance reforms, including anti-corruption instruments;

(c) Reviewing the 1991 Constitution and key legislation;

(d) Strengthening the justice sector, Parliament and key governance institutions;

(e) Supporting security sector reform;

(f) Promoting the more effective functioning of local government;

(g) Implementing the Peacebuilding Cooperation Framework and the work of the Peacebuilding Commission and the Peacebuilding Fund;

(h) Observing and analysing the human rights situation with a view to strengthening national human rights institutions and practices, including in the context of the implementation of the recommendations of the Truth and Reconciliation Commission;

(i) Sustaining and expanding efforts for the political and economic empowerment of youth and women, through building their capacity to participate in the peacebuilding processes and public decision-making, and to engage in cooperative economic enterprises;

(j) Supporting gender mainstreaming into peace consolidation efforts in line with Security Council resolution 1325 (2000);

(k) Assisting the Government in promoting collaboration and coordination among all relevant partners, including bilateral and multilateral donors, non-governmental organizations and regional and international organizations in ensuring the above;

(l) Promoting a culture of peace and dialogue, including by providing support to the envisaged independent public broadcasting station;

(n) Continuing close cooperation with other peace operations in the subregion in a collective effort to promote regional peace.

B. Structure and strength of the United Nations Integrated Peacebuilding Office in Sierra Leone

62. It is proposed that UNIPSIL be headed by my Executive Representative, who would report both to the Department of Political Affairs in his capacity as my Executive Representative and to UNDP in his capacity as United Nations Resident Coordinator and UNDP Resident Representative. The Office would be led by the Department of Political Affairs, with the support of UNDP, in close consultation with the United Nations country team, the Peacebuilding Support Office and other relevant stakeholders.

63. The staffing strength of UNIPSIL should include my Executive Representative, 16 international Professional civilian staff, one military adviser and one United Nations police adviser. These 19 Professional officers should be assisted by 3 national administrative assistants, 24 operational support staff (16 international and 8 national) and 20 helicopter support staff (4 international and 16 national).

64. UNIPSIL would comprise a small front office to support my Executive Representative and three substantive sections focusing on the key areas of the mandate, namely peace and governance; human rights and the rule of law; and youth and gender empowerment.

65. The front office of my Executive Representative should include one principal political adviser (D-1) who would provide strategic analysis on internal and subregional political developments and sustain direct engagement with key national and international counterparts; one senior peacebuilding cooperation officer (P-5) who would support the work of the Peacebuilding Commission, as well as the implementation of the priorities of the Peacebuilding Cooperation Framework and projects supported through the Peacebuilding Fund; one senior military adviser (P-5) who would advise on the military implications of internal and subregional political and security-related issues, serve as liaison with other peacekeeping and military presences in the region, advise the armed forces and liaise with the International Military Advisory and Training Team; and one senior police adviser (P-5) who would assist national counterparts in the development of capacities for countering the proliferation of organized crime and narcotics, establishing and

implementing accountability and oversight mechanisms, as well as professional standards, and ensuring gender and human rights sensitivity in the work of the security sector.

66. The senior military adviser would be assisted by one military adviser from a troop-contributing country, who would advise on the military implications of internal and subregional political and security-related issues, while the senior police adviser would be assisted by four United Nations police advisers from police-contributing countries, who would support national efforts towards the attainment of a professional police force.

67. In addition, the front office should include one public information officer (P-4) who would assist with the development of a media strategy, provide advice to national counterparts on media-related issues and assist with the transition from United Nations Radio to an autonomous public broadcasting corporation; one political affairs officer (P-4) who would monitor and analyse internal and subregional political trends and developments and draft all relevant documents, including reports and code cables; and one special assistant (P-3) who would assist my Executive Representative in the execution of his responsibilities, particularly his coordination efforts and his strategic engagement with national and international stakeholders and the United Nations Secretariat.

68. The Peace and Governance Section should include two peace and governance officers (one P-5 and one P-4) who would focus on building the capacities of national and local institutions and strengthening processes at the national and local levels for the peaceful resolution of recurring disputes, managing conflicts before they lead to violent tension and building multi-partisan consensus around critical national issues and policies through dialogue and inclusion.

69. The Human Rights and Rule of Law Section should include one human rights and rule of law officer (P-5) and one rule of law officer (P-4) who would focus on strengthening the rule of law, developing the capacity of the justice system, facilitating access to justice, advising on the constitutional review process and developing alternative means of dispute resolution. It would also include two human rights officers (one P-5 and one P-4) who would assist in strengthening national capacities for the protection and advancement of human rights, especially through building the capacities of the national Human Rights Commission, help the Government to formulate a national plan for human rights and to comply with its reporting obligations, and assist in issuing reports on the human rights situation in the country. In addition, OHCHR would provide 10 national officers who would be responsible for observing and analysing the human rights situation in the country and preparing regular public reports.

70. The Youth and Gender Empowerment Section should include one youth and gender empowerment officer (P-5), one gender officer (P-4) and one youth empowerment officer (P-4) who would focus on strengthening national capacities for the protection and advancement of the rights of women and young people, with particular emphasis on ensuring their inclusion and participation in national decision-making processes and programmes pertaining to peace consolidation. In addition, the gender officer would mainstream gender into the peace consolidation efforts of UNIPSIL and the United Nations country team in line with Security Council resolution 1325 (2000).

71. In order to effectively fulfil its mandate, UNIPSIL should be structured so as to allow for the co-location of United Nations political and development personnel, who would utilize the joint resources of the integrated office and the United Nations country team to implement the mandate of UNIPSIL. This co-location would also permit the development of more coherent policies, more integrated resource mobilization activities and the joint implementation of United Nations programmes and initiatives.

72. The ability of UNIPSIL to effectively implement its mandate will be contingent on the availability of requisite logistical capacity and resources, including helicopter services, and operational support from the Department of Field Support. The helicopter service is particularly important given that local means of transport from the international airport at Lungi to the mainland in Freetown do not comply with international or United Nations standards. In addition, an air capacity for medical evacuation will continue to be an urgent requirement.

XVIII. Observations

73. UNIOSIL has made significant progress in supporting the efforts of the Government to consolidate peace in the country. It has assisted the Government in strengthening the capacity of the security sector, promoting respect for human rights and the rule of law, building the capacity of the National Electoral Commission to conduct elections and making arrangements for the handover of United Nations Radio. However, the country continues to experience political tension along ethnic and regional lines, a slow economic recovery rate, poor economic and social conditions and serious governance challenges, which if not carefully managed have the potential to derail the peace consolidation process.

74. The capacity-building support of UNIOSIL to the National Electoral Commission and to the security sector has contributed to enhancing the ability of these governance institutions to discharge their constitutional mandates. The approach of the Sierra Leone police to law enforcement is increasingly more professional and better coordinated. Moreover, UNIOSIL training and mentoring in crowd control has improved the capacity of the police to manage mass actions of civil disobedience, including student demonstrations and worker protests. As a result, it is steadily gaining the confidence and respect of the public. However, the police force still requires support from the international community to purchase equipment and upgrade its facilities throughout the country.

75. Significant progress has also been made in professionalizing the armed forces with the support of the United Kingdom, the International Military Advisory and Training Team, UNIOSIL and other donors. In order to safeguard these positive developments, improvements will need to be made to the living and working conditions of military personnel, as well as to the logistical support provided to the army.

76. The security situation in the country has continued to improve, owing to the increased capacity of the security sector. The commitment of the leaders of the Mano River Union countries to a peaceful resolution of the issues confronting them has also contributed to the prevailing stability in Sierra Leone and the subregion. I encourage the Government of Sierra Leone to continue to support efforts to revitalize the Mano River Union.

77. It is critical that the main political parties put aside their political differences in the interest of consolidating peace in the country. I call on the Government to provide leadership in promoting national reconciliation, broadening political dialogue and involving all citizens regardless of political affiliation, or ethnic and regional origin, in the national recovery and political processes.

78. The Government has continued to take steps to enhance political and economic governance in the country. It is heartening to see the level of support that has been provided by international partners to develop the capacity of Parliament and the justice sector, and to further the Government's anti-corruption efforts. The assistance of the international community will continue to be needed as the Government pursues its decentralization, constitutional review and public sector reform efforts.

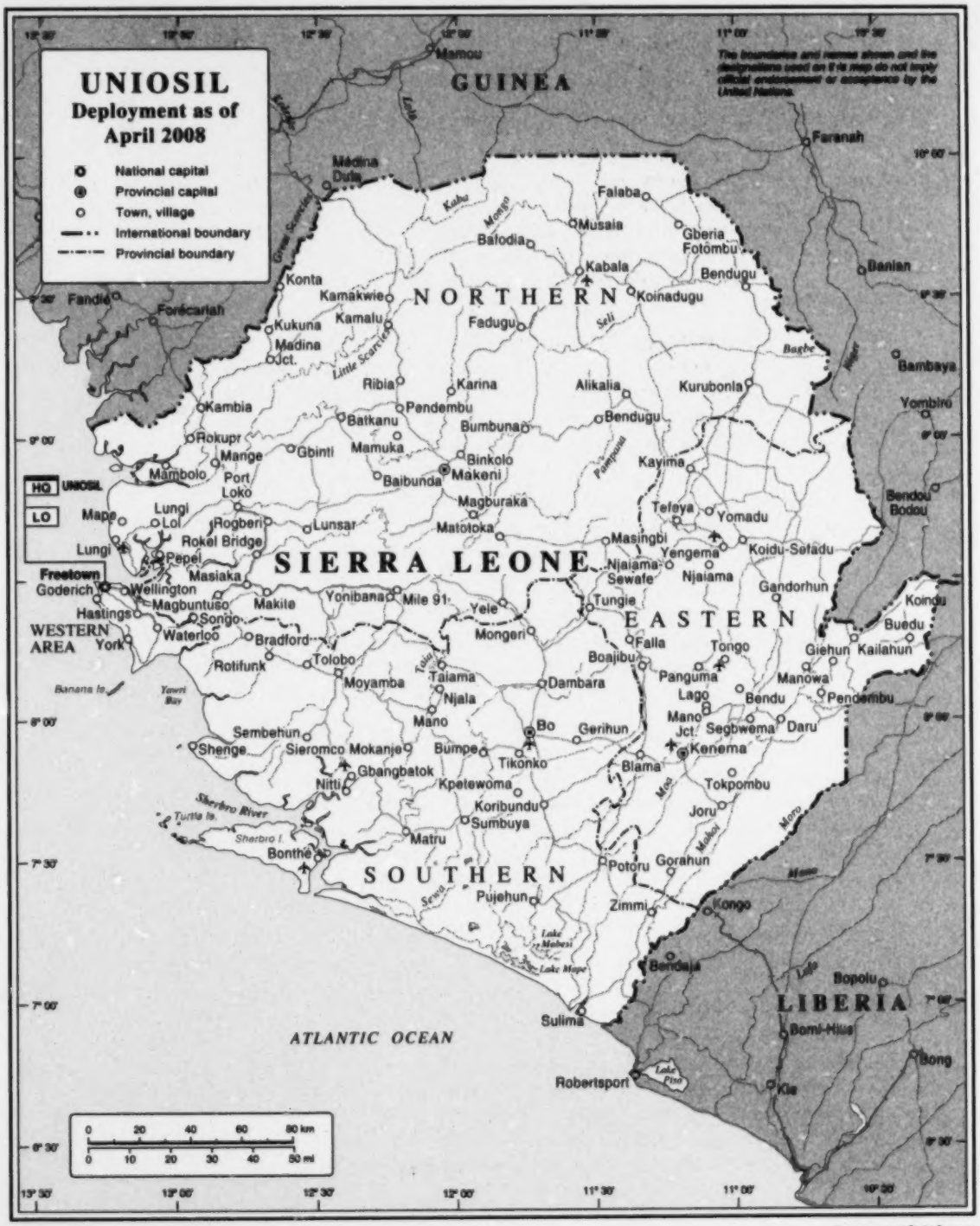
79. The engagement of Sierra Leone with the Peacebuilding Commission constitutes a vital source of enhanced external assistance and I would encourage the Government to collaborate closely with the Commission in the continued identification and implementation of projects that would have a positive impact on economic recovery and overall peace consolidation.

80. Preparations for the local council elections are advancing. The completion of the delimitation of wards and the redemption of substantial donor pledges to the election budget have ensured the timely completion of the major tasks associated with the elections. I wish to commend the Government for taking prompt steps to fulfil its financial obligations to the electoral process.

81. Respect for human rights, particularly political and civil rights, has increased. In addition, some progress has been made in legislating women's and children's rights. Notwithstanding these developments, the rule of law sector still faces serious challenges, which will continue to require the support of the international community.

82. Following the withdrawal of UNIOSIL in September, the sustained commitment of the United Nations will continue to be required in Sierra Leone. The establishment of a United Nations integrated peacebuilding office, which holistically addresses the political, economic and peacebuilding challenges facing the country, will be a significant channel of continuing international support for peace consolidation in Sierra Leone. I therefore recommend that the Security Council approve the establishment of UNIPSIL for an initial period of one year with the mandate, structure and strength set out in paragraphs 61 to 72 of this report.

83. In conclusion, I wish to commend the Government of Sierra Leone and its partners for creating an environment conducive to increased cooperation, and to express my deep appreciation to the personnel of UNIOSIL and the United Nations country team in Sierra Leone for their important contribution to the peace consolidation process in Sierra Leone. My appreciation also goes to all those countries contributing police and military personnel to UNIOSIL, the Economic Community of West African States, bilateral and multilateral donors, international partners and non-governmental organizations for their generous contributions and sustained support to the cause of peace in Sierra Leone.



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Agenda item 5
Illegal Israeli actions in Occupied East Jerusalem and the rest of the Occupied Palestinian Territory

Security Council
Sixty-third year

Identical letters dated 29 April 2008 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

The protection of civilians in armed conflict has been repeatedly declared a priority mission of the United Nations and of the Security Council in particular. International humanitarian law, particularly the Geneva Convention relative to the Protection of Civilians in Time of War, comprises several provisions explicitly aimed at ensuring the protection, safety and well-being of civilians in situations of armed conflict, including situations of foreign occupation.

Regrettably, in the Occupied Palestinian Territory, the Palestinian civilian population has never received such protection and remains highly vulnerable and exposed to the lethal force continuously unleashed by Israel, the occupying Power. Palestinian civilians, including children, continue to be killed, wounded and maimed by the Israeli occupying forces in military assaults indiscriminately launched in densely populated civilian neighbourhoods, particularly in the Gaza Strip, where the population already suffers inordinately from the collective punishment imposed on them by the occupying Power's inhumane siege. In addition to the high civilian casualties and vast and wanton destruction inflicted, the violent attacks by the occupying Power have terrorized the entire civilian population. Families live in constant fear for their lives, even in their own homes, and trauma, anxiety and depression are widespread among all age groups, affecting all aspects of life.

The latest horrific attack against innocent civilians occurred yesterday in the Gaza Strip, where again Beit Hanoun was the scene of bloodshed and tragedy as yet another family suffered a massacre at the hands of the occupying forces. As the Abu Me'tiq family gathered to eat breakfast, Israeli tank fire struck their home, killing the mother and her four young children, critically wounding two other children and destroying the home and the lives of the remaining family members. Indeed, their lives have been irreparably altered as they grieve the loss of Miyassar, the mother, and the children, Mus'aad, 1 year old, Hanaa', 3 years old, Saleh, 4 years old, and

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Rudina, 6 years old. Another boy, Ayyoub Attallah, age 17, was also killed in the same attack as he walked to school, and at least nine other people, including children, were injured.

The killings of these innocent children and woman are, deplorably, not an aberration in the Occupied Palestinian Territory, for death rages through Gaza in particular nearly every day as the occupying Power continues to carry out a senseless, depraved military campaign against the civilian population. The long lists of martyrs attached to our many letters to you, including the present letter, attest to the ongoing, widespread killing of civilians, including children and women. The failure of the international community to hold Israel accountable for such grave breaches and the failure of the international community to uphold its responsibility to protect have undeniably reinforced Israel's impunity, permitting it to continue committing extrajudicial killings and using excessive force against a defenceless civilian population under the pretext of security or "counter-terror", while it continues to ignore its very presence as an occupying Power and to ignore its responsibilities under international law in this regard.

In this connection, we reiterate our strong conviction that there is no pretext or reason that can justify such inhumane treatment of civilians. International law forbids such brutality and cruelty — international humanitarian and human rights law prohibit the killing and bodily injury of civilians, prohibit reprisals against civilians and civilian objects, prohibit the wanton destruction of homes and other civilian property, prohibit extrajudicial executions and prohibit the collective punishment of civilians. Moreover, such incidents cannot simply be brushed aside as "mistakes", as some Israeli officials have tended to coldly refer to recent killings of civilians in Beit Hanoun and elsewhere in the Occupied Palestinian Territory. What these killings actually constitute are war crimes under article 147 of the Fourth Geneva Convention and article 8 of the Rome Statute of the International Criminal Court. Investigations should be launched into these crimes, and the perpetrators must be held accountable for their breaches of the law. Continued tolerance of this abhorrent behaviour by the occupying Power against the Palestinian people will only lead to more loss of human life.

The international community, including the Security Council, has clear responsibilities in this regard, including the responsibility to protect civilians in armed conflict. Urgent action should be taken to compel Israel to cease its military campaign and its obstruction of humanitarian assistance and the movement of persons and goods in order to protect human life and alleviate the suffering of the civilian population in the Occupied Palestinian Territory, especially in the Gaza Strip, where any semblance of normal life has been destroyed by the occupying Power's ongoing siege and attacks.

This letter is in follow-up to our previous 313 letters to you regarding the ongoing crisis in the Occupied Palestinian Territory, including East Jerusalem, since 28 September 2000. These letters, dated from 29 September 2000 (A/55/432-S/2000/921) to 16 April 2008 (A/ES-10/417-S/2008/256), constitute a basic record of the crimes being committed by Israel, the occupying Power, against the Palestinian people since September 2000. For all of these war crimes, State terrorism and systematic human rights violations committed against the Palestinian people, Israel, the occupying Power, must be held accountable and the perpetrators must be brought to justice.

In follow-up to the above-mentioned letters, I regret to inform you that, since our letter to you two weeks ago, at least 27 Palestinians have been killed by the Israeli occupying forces, raising the total number of martyrs killed since September 2000 to 5,197 people. (The names of the martyrs that have been identified are included in the annex to this letter.)

I should be grateful if you would arrange to have the text of the present letter and its annex distributed as a document of the tenth emergency special session of the General Assembly, under agenda item 5, and of the Security Council.

(*Signed*) Feda **Abdelhady-Nasser**
Chargé d'affaires a.i.

Annex to the identical letters dated 29 April 2008 from the Chargé d'affaires a.i. of the Permanent Observer Mission of Palestine to the United Nations addressed to the Secretary-General and the President of the Security Council

Names of martyrs killed by the Israeli occupying forces in the Occupied Palestinian Territory, including East Jerusalem* (from Thursday, 17 April 2008, to Tuesday, 29 April 2008)

Thursday, 17 April 2008

1. Bilal Mohammad Kmayel
2. Izz El-Din Mohammad Zakarneh
3. Usama Abu Anza

Friday, 18 April 2008

4. Hani Al-Kaa'bi

Saturday, 19 April 2008

5. Hisham Abdel Rahman Zhaher
6. Riyad Abdallah Al-Tanani
7. Mohammad Husain Abdel Rahman
8. Zaher Aadel Shamiyyeh
9. Mohammad Moussa
10. Muin Hamdouneh
11. Ehab Na'eem Abu Amre
12. Ahmad Abdel Majeed Al-Najjar (17)

Sunday, 20 April 2008

13. Nour Salman Al-Dibari
14. Najeeb Nasr Al-Serhi
15. Bilal Al-Duhaini (16)

Monday, 21 April 2008

16. Othman Ahmad Abu Hajar
17. Fadi Jamal Salem
18. Ibrahim Mahmoud Shalash
19. Ekremeh Abu Odeh

Saturday, 26 April 2008

20. Mariam Tal'aat Abu Ma'rouf (14)

* The total number of Palestinian martyrs killed by the Israeli occupying forces since 28 September 2000 is 5,197.

Monday, 28 April 2008

21. Miyassar Abu Me'tiq
22. Saleh Abu Me'tiq (4)
23. Hanaa' Abu Me'tiq (3)
24. Rudina Abu Me'tiq (6)
25. Mus'aad Abu Me'tiq (1)
26. Ayyoub Attallah (17)
27. Mu'aaz Al-Akhras

United Nations S/2008/283

Security Council

Distr.: General
30 April 2008

Original: English

Belgium, Costa Rica, Croatia, France, Italy, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its resolutions and presidential statements concerning the situation in the Sudan,

Recalling also its previous resolutions 1674 (2006) on the protection of civilians in armed conflict, which reaffirms, inter alia, the relevant provisions of the United Nations World Summit outcome document, 1612 (2005) on children in armed conflict, 1502 (2003) on the protection of humanitarian and United Nations personnel, 1325 (2000) on women, peace and security,

Reaffirming its commitment to the sovereignty, unity, independence, and territorial integrity of the Sudan and to the cause of peace,

Commending the work of the United Nations Mission in Sudan (UNMIS) in support of the Comprehensive Peace Agreement (CPA), commending the continued commitment by troop-contributing countries in support of this mission, and also commending UNMIS's efforts in assisting in the transition of the African Union Mission in Sudan (AMIS) to the United Nations African Union Mission in Darfur (UNAMID),

Recognizing that successful implementation of the CPA is essential to resolution of the crisis in Darfur and to sustainable peace and stability in the region; and condemning acts of violence perpetrated by all sides,

Taking note of the report of the Secretary-General on Sudan dated 22 April 2008, including his recommendations and taking note of the report on children and armed conflict in the Sudan (S/2007/520) dated 29 August 2007 and recalling the conclusions endorsed by the Security Council on Children and Armed Conflict in the Sudan (S/AC.51/2008/7),

Welcoming the appointment of Derek Plumbly as the new chairman of the Assessment and Evaluation Commission (AEC),

Recalling the commitment of the international community to support the CPA process, including through development aid, and urging donors to support implementation of the CPA a..d to honour all pledges to this end,

08-32515 (E) 300408

Recalling the need for UNMIS to make full use of its current mandate and capabilities with regard to the activities of militias and armed groups such as the Lord's Resistance Army (LRA) in Sudan, as stated in resolution 1663,

Welcoming the mediation efforts of the Government of South Sudan to bring an end to the 22-year conflict between the LRA and the Government of Uganda, and urging the parties to reach a resolution,

Welcoming the start of the national census on 22 April 2008 as a significant milestone in the implementation of the CPA; urging the continued support of a fair and inclusive census and acceptance of the results by all the parties,

Determining that the situation in the Sudan continues to constitute a threat to international peace and security,

1. *Decides* to extend the mandate of UNMIS until 30 April 2009, with the intention to renew it for further periods;

2. *Requests* the Secretary-General to report to the Council every three months on the implementation of the mandate of UNMIS, progress on implementation of the CPA, and respect for the ceasefire, and to provide an assessment and recommendations on measures UNMIS might take to further support elections, and to advance the peace process;

3. *Stresses* the importance of full and expeditious implementation of all elements of the CPA, the Darfur Peace Agreement, and the October 2006 Eastern Sudan Peace Agreement and calls for all the parties to respect their commitments to these agreements without delay;

4. *Welcomes* the parties sustained commitment to work together in the Government of National Unity (GNU) and urges the cooperation of the National Congress Party (NCP) and the Sudan Peoples Liberation Movement (SPLM) in carrying out their responsibilities to further implement the CPA;

5. *Stresses* the critical role of the AEC in overseeing and reporting on implementation of the CPA and calls for strengthening of the Commission's autonomy and urges all parties to cooperate fully with the AEC and to implement its recommendations;

6. *Calls* for all parties to cooperate with full unrestricted UNMIS monitoring and verification in the Abyei region, without prejudice to the final agreement on the actual borders between the two sides, and urges UNMIS to consult with the parties, and to deploy, as appropriate, personnel to the Abyei region, including areas of Kordofan;

7. *Calls upon* the parties to address and find a mutually agreeable solution to the Abyei issue; and further urges all parties to redeploy their forces away from the disputed 1 January 1956 border and fully establish an interim administration in Abyei in accordance with the CPA;

8. *Requests* UNMIS, acting within its current mandate and within its current means and capabilities, to provide technical and logistical support, as requested, to help the parties in the process of demarcation of the 1956 North/South border, in accordance with the CPA;

9. *Stresses* the important role of the Joint Integrated Units (JIUs) for the full implementation of the CPA; and urges donors to offer support, both materiel and training, coordinated by UNMIS in consultation with the Joint Defense Board, to enable the full establishment and operational effectiveness of JIUs as soon as possible;

10. *Welcomes* the adoption of the National Strategic Plan for Disarmament, Demobilization and Reintegration (DDR), encourages the parties to agree swiftly on a date to launch its implementation, takes note of the Secretary-General's proposed benchmarks in this regard and urges UNMIS consistent with its mandate, to assist in voluntary disarmament and weapons collection and destruction efforts in implementation of plans under the CPA for DDR;

11. *Requests* UNMIS, consistent with its mandate and in coordination with the relevant parties and taking into account the need to pay particular attention to the protection, release and reintegration of all children associated to armed forces and armed groups, to increase its support for the National DDR Coordination Council and the Northern and Southern DDR Commissions;

12. *Further urges* donors to respond to calls for assistance from the joint United Nations DDR Unit;

13. *Encourages* UNMIS, consistent with its mandate, and within authorized levels of civilian police to continue efforts to assist the parties to the CPA in promoting the rule of law and in restructuring the police and corrections services in Sudan, including in South Sudan, and to assist in the training of civilian police and corrections officers;

14. *Urges* the GNU to complete the conduct of an inclusive, national census and to prepare expeditiously for the conduct of free and fair elections in all of the Sudan;

15. *Urges* UNMIS, consistent with its mandate, to begin immediate preparations to support the conduct of national elections, including support for the development of a national strategy for the conduct of elections with close collaboration with UNDP and the parties to the CPA, and urges further the international community to provide technical and material assistance for electoral preparations;

16. *Encourages* UNMIS, consistent with its mandate, to assist the parties to the CPA in addressing the need for a national inclusive approach towards reconciliation and peacebuilding, emphasizing in particular the role of women in the prevention and resolution of conflicts and in peacebuilding, as recognized in resolution 1325, and of civil society, and to take this need into account in implementing all aspects of its mandate;

17. *Calls upon* the parties to the CPA and the communiqué, signed between the United Nations and the GNU in Khartoum on 28 March 2007 to support, protect, and facilitate all humanitarian operations and personnel in the Sudan;

18. *Welcomes* the continuing organized returns of internally displaced persons from Khartoum to Southern Kordofan and Southern Sudan and that of refugees from countries of asylum to Southern Sudan and encourages the promotion of efforts, including the provision of necessary resources to the Office of the United Nations High Commissioner for Refugees and implementing partners, to ensure that

such returns are voluntary and sustainable, and further requests UNMIS, within its capabilities and areas of deployment, to coordinate with partners to facilitate sustainable returns, including by helping to establish the necessary security conditions;

19. *Expresses* concern at the persistence of localized conflict and violence, especially in the border area, mostly affecting civilians and with the potential for escalation; urges in this regard full cooperation of the NCP and the SPLM in carrying out the obligations of the GNU for the protection of civilians in armed conflict, in accordance with resolution 1674; and supports UNMIS's intent to strengthen its conflict management capacity by developing and executing an integrated strategy to support local conflict resolution mechanisms, in order to maximize protection of civilians;

20. *Notes* that conflict in one area of Sudan affects conflict in other areas in Sudan and in the region, and therefore urges UNMIS to coordinate closely with UNAMID, the AU-UN Joint Mediation Support Team and other stakeholders, to ensure complementary implementation of these bodies' mandates in support of the implementation of the CPA and of the overall objective of peace in Sudan;

21. *Further requests* UNMIS to coordinate with humanitarian, recovery and development agencies, within its capabilities and areas of deployment, to facilitate the provision of recovery and development assistance, which is essential to deliver a peace dividend to the people of Sudan;

22. *Calls upon* the GNU to cooperate fully with all the United Nations operations within its territory in the implementation of their mandates;

23. *Requests* the Secretary-General to submit for the Council's consideration a report on possible measures UNMIS could take to assist, with the implementation of a future Final Peace Agreement between the Government of Uganda and the LRA;

24. *Reiterates* its concern over the restrictions and all impediments placed on the movements of UNMIS personnel and materiel in Sudan, and the adverse impact such restrictions and impediments have on UNMIS's ability to perform its mandate effectively and on the ability of the humanitarian community to reach affected persons; and calls in this regard for all parties to cooperate fully with UNMIS and to facilitate the performance of its mandate, and to abide by their obligations under international humanitarian law;

25. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in UNMIS with the United Nations zero-tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action including predeployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

26. *Decides* to remain actively seized of the matter.

United Nations S/2008/284

Security Council

Distr.: General
29 April 2008

Original: English

France, Russian Federation, Spain, United Kingdom of Great Britain and Northern Ireland and United States of America: draft resolution

The Security Council,

Recalling all its previous resolutions on Western Sahara,

Reaffirming its strong support for the efforts of the Secretary-General and his Personal Envoy to implement resolutions 1754 (2007) and 1783 (2007),

Reaffirming its commitment to assist the parties to achieve a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect,

Reiterating its call upon the parties and States of the region to continue to cooperate fully with the United Nations and with each other to end the current impasse and to achieve progress towards a political solution,

Taking note of the Moroccan proposal presented on 11 April 2007 to the Secretary-General and welcoming serious and credible Moroccan efforts to move the process forward towards resolution; also taking note of the Polisario Front proposal presented 10 April 2007 to the Secretary-General,

Taking note of the four rounds of negotiations held under the auspices of the Secretary-General; *welcoming* the progress made by the parties to enter into direct negotiations,

Welcoming the agreement of the parties expressed in the Communique of the Personal Envoy of the Secretary-General for Western Sahara of 18 March 2008 to explore the establishment of family visits by land, which would be in addition to the existing program by air, and *encouraging* them to do so in cooperation with the United Nations High Commissioner for Refugees,

Welcoming the commitment of the parties to continue the process of negotiations through United Nations sponsored talks,

Noting the Secretary-General's view that the consolidation of the status quo is not an acceptable outcome of the current process of negotiations, and *noting further* that progress in the negotiations will have a positive impact on the quality of life of the people of Western Sahara in all its aspects,

08-32540 (E) 300408

Having considered the report of the Secretary-General of 14 April 2008 (S/2008/251),

1. *Reaffirms* the need for full respect of the military agreements reached with MINURSO with regard to the ceasefire;

2. *Endorses* the report's recommendation that realism and a spirit of compromise by the parties are essential to maintain the momentum of the process of negotiations;

3. *Calls upon* the parties to continue to show political will and work in an atmosphere propitious for dialogue in order to enter into a more intensive and substantive phase of negotiations, thus ensuring implementation of resolutions 1754 and 1783 and the success of negotiations; and *affirms* its strong support for the commitment of the Secretary-General and his Personal Envoy towards a solution to the question of Western Sahara in this context;

4. *Calls upon* the parties to continue negotiations under the auspices of the Secretary-General without preconditions and in good faith, taking into account the efforts made since 2006 and subsequent developments, with a view to achieving a just, lasting and mutually acceptable political solution, which will provide for the self-determination of the people of Western Sahara in the context of arrangements consistent with the principles and purposes of the Charter of the United Nations, and noting the role and responsibilities of the parties in this respect;

5. *Invites* Member States to lend appropriate assistance to these talks;

6. *Requests* the Secretary-General to keep the Security Council informed on a regular basis on the status and progress of these negotiations under his auspices, and expresses its intention to meet to receive and discuss his report;

7. *Requests* the Secretary-General to provide a report on the situation in Western Sahara well before the end of the mandate period;

8. *Urges* Member States to provide voluntary contributions to fund Confidence Building Measures that allow for increased contact between separated family members, especially family visits, as well as for other confidence building measures that may be agreed between the parties;

9. *Decides* to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until 30 April 2009;

10. *Requests* the Secretary-General to continue to take the necessary measures to ensure full compliance in MINURSO with the United Nations zero tolerance policy on sexual exploitation and abuse and to keep the Council informed, and urges troop-contributing countries to take appropriate preventive action including pre-deployment awareness training, and other action to ensure full accountability in cases of such conduct involving their personnel;

11. *Decides* to remain seized of the matter.

United Nations S/2008/285

Security Council

Distr.: General
1 May 2008

Original: English

Letter dated 28 April 2008 from the Secretary-General to the President of the Security Council

Further to my letter of 7 May 2007 (S/2007/279) to the President of the Security Council concerning the establishment of the United Nations Regional Centre for Preventive Diplomacy for Central Asia, I have the honour to inform you of my intention to appoint Miroslav Jenča (Slovakia) as my Special Representative and Head of the Regional Centre in Ashgabat.

I should be grateful if you would bring this letter to the attention of the members of the Security Council.

(*Signed*) **Ban** Ki-moon

08-32589 (E) 010508

United Nations S/2008/286

Security Council

Distr.: General
1 May 2008

Original: English

Letter dated 30 April 2008 from the President of the Security Council to the Secretary-General

I have the honour to inform you that your letter dated 28 April 2008 (S/2008/285) concerning your intention to appoint Miroslav Jenča (Slovakia) as your Special Representative and Head of the United Nations Regional Centre for Preventive Diplomacy for Central Asia in Ashgabat has been brought to the attention of the members of the Security Council. They take note of the intention expressed in your letter.

(*Signed*) Dumisani Shadrack **Kumalo**
President of the Security Council

08-32595 (E) 010508

United Nations S/2008/287

Security Council

Distr.: General
1 May 2008

Original: English

Letter dated 30 April 2008 from the Permanent Representative of Eritrea to the United Nations addressed to the President of the Security Council

Allow me to express my Government's views on the statement by the President of the Security Council that was issued today, 30 April 2008, on the situation between Eritrea and Ethiopia. In previous resolutions and statements, the Security Council supported the work of the Eritrea-Ethiopia Boundary Commission, established by the parties, pursuant to article 4.2 of the Algiers Agreement. In the latest statement, the Security Council not only neglected to endorse the final delimitation and demarcation decision of 27 November 2006 of the Boundary Commission, which put to rest the border dispute between the two countries, but also failed to demand the withdrawal of Ethiopian troops from sovereign Eritrean territories.

There are no legal or political issues at the heart of the dispute between the two parties on the border matter because the mechanism jointly established by Eritrea and Ethiopia has concluded its work. Article 4.15 of the Algiers Agreement clearly states that "each party shall respect the border so determined, as well as territorial integrity and sovereignty of the other party". There is no "stalemate" or impasse to overcome except Ethiopia's legal obligation to withdraw its troops from territories awarded to Eritrea by the final delimitation and demarcation decision of the Eritrea-Ethiopia Boundary Commission. The role of the United Nations as guarantor of the Algiers Agreement is to ensure respect for the rule of law. Ethiopia's occupation of sovereign Eritrean territories is a violation of the Charter of the United Nations that should not be ignored and is not a matter to be left to the parties alone. The responsibility to ensure maintenance of international peace and security is the mandate of the Security Council.

Despite all the exaggerated accusations and misplaced blames Eritrea continued to suffer from, it must be understood that Eritrea maintained good cooperation with the United Nations Mission in Ethiopia and Eritrea (UNMEE). It is important to point out that "the future of UNMEE" is a matter directly linked to Security Council resolution 1320 (2000) that set out the conditions under which the peacekeeping mission would come to an end. The United Nations troops have been deployed in their mission area for nearly eight years, far beyond the two years initially envisioned to last until the border between Eritrea and Ethiopia was demarcated. The Security Council, in paragraph 13 of its resolution, emphasized that the Agreement on Cessation of Hostilities links the termination of the United Nations peacekeeping mission with the completion of the process of delimitation

and demarcation of the Ethiopian-Eritrean border. As the Boundary Commission completed its work of demarcation on 30 November 2007, the specific condition stated in Security Council resolution 1320 (2000) has been met, necessitating the Council to officially terminate the mandate of UNMEE.

I would be grateful if the present letter could be circulated as a document of the Security Council.

(*Signed*) Araya **Desta**
Ambassador
Permanent Representative

United Nations S/2008/288

Security Council

Distr.: General
1 May 2008

Original: English

Identical letters dated 30 April 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the Islamic Republic of Iran to the United Nations addressed to the Secretary-General and the President of the Security Council

Upon instructions from my Government, I wish to draw your attention to the interview on the ABC news channel on 22 April 2008, in which the United States Senator Hillary Rodham Clinton unwarrantedly and under erroneous and false pretexts threatened to use force against the Islamic Republic of Iran by stating: "I want the Iranians to know that if I'm the President we will attack Iran ... [and will] totally obliterate them".

The Islamic Republic of Iran expresses its deep concern over, and strong condemnation of, such a provocative, unwarranted and irresponsible statement against the Iranian nation and civilization. Such a statement is in flagrant violation of the most fundamental provisions of the Charter of the United Nations and the basic principles of international law, and is against the global efforts to strengthen regional and international peace and security.

Iran is a leading nation in rejecting and opposing all kinds of weapons of mass destruction, including nuclear weapons. As a State party to the Treaty on the Non-Proliferation of Nuclear Weapons, the Islamic Republic of Iran has on many occasions, including in relevant international forums, officially declared that nuclear weapons as the most lethal and inhumane weapons have no place in the defence doctrine of the country. Furthermore, since 1974 Iran has spared no efforts in the realization of the nuclear-weapon-free zone in the Middle East within the United Nations framework and the Non-Proliferation Treaty Review Conferences.

Moreover, I wish to reiterate my Government's position that the Islamic Republic of Iran has no intention to attack any other nations. Nonetheless, in accordance with its inherent right under Article 51 of the Charter of the United Nations, Iran would not hesitate to act in self-defence to respond to any attack against the Iranian nation and to take appropriate defensive measures to protect itself.

I should be grateful if you would have this letter circulated as a document of the Security Council.

(*Signed*) Mehdi **Danesh-Yazdi**
Ambassador
Chargé d'affaires a.i.

08-32577 (E) 020508

United Nations S/2008/289

Security Council

Distr.: General
2 May 2008

Original: English

Letter dated 2 May 2008 from the Permanent Representative of Myanmar to the United Nations addressed to the President of the Security Council

The tremendous pressure exerted by powerful members of the Security Council on other members has resulted in the issuance of a presidential statement regarding Myanmar's democratic and national reconciliation process. This is unprecedented, since Myanmar is not a threat to either international or regional peace and security, a fact testified to by all of Myanmar's neighbours and the Non-Aligned Movement which constitute a clear majority of United Nations membership. The presidential statement delved into matters that, under the Charter of the United Nations, lie within the domestic domain of my country and we find this highly objectionable. It must be noted that the good offices role of the Secretary-General is mandated by the General Assembly. Myanmar therefore greatly regrets the course of action taken.

I wish to request that the present letter be circulated as a document of the Security Council.

(*Signed*) Kyaw Tint **Swe**
Ambassador
Permanent Representative

08-32698 (E) 020508

United Nations A/62/826–S/2008/290

General Assembly
Security Council

Distr.: General
2 May 2008

Original: English

General Assembly
Sixty-second session
Agenda item 120
Implementation of the resolutions of the United Nations

Security Council
Sixty-third year

Letter dated 23 April 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

I have the honour to forward herewith a letter dated 21 April 2008 from the President of the Republic of Macedonia, Branko Crvenkovski, addressed to you (see annex).

I should be grateful if you would have the present letter and its annex circulated as a document of the General Assembly, under agenda item 120, and of the Security Council.

(*Signed*) Tania **Dinevska**
Chargé d'affaires a.i.

08-32783 (E) 070508

Annex to the letter dated 23 April 2008 from the Chargé d'affaires a.i. of the Permanent Mission of the former Yugoslav Republic of Macedonia to the United Nations addressed to the Secretary-General

21 April 2008

Taking into consideration the process taking place under your auspices in accordance with Security Council resolutions 817 (1993) and 845 (1993) and the Interim Accord of 1995, I would like to take this opportunity to inform you about the following:

Notwithstanding the entirely absurd nature of the issue, the Republic of Macedonia has been participating actively, constructively and with great commitment, in the process taking place under the auspices of the United Nations, with the mediation of your Personal Envoy, Ambassador Matthew Nimetz. Thus, the Republic of Macedonia consistently honours the international obligations it has assumed, confirming furthermore its constructiveness in respect of most of the proposals, making also a number of concessions throughout this multi-year process.

Unfortunately, the other party has not demonstrated the same commitment towards the assumed obligations, as has been confirmed by the recent flagrant violation of article 11 of the Interim Accord. According to article 11 of the above-mentioned document, the Hellenic Republic is legally bound "not to object to the application by or the membership of the Party of the Second Part in international, multilateral and regional organizations and institutions of which the Party of the First Part is a member; however, the Party of the First Part reserves the right to object to any membership referred to above if and to the extent the Party of the Second Part is to be referred to in such organization or institution differently than in paragraph 2 of United Nations Security Council resolution 817 (1993)".

In spite of such an assumed obligation, at the NATO Summit in Bucharest, from 2 to 4 April 2008, the Hellenic Republic objected to our invitation to NATO membership, conditioning the membership invitation on the prior reaching of a mutually acceptable solution on the difference regarding the name of the Republic of Macedonia, by which it directly violated the above-mentioned article.

This gross breach of obligations by the Hellenic Republic under the Interim Accord, and the consequent violation of one of the fundamental principles of international law — *pacta sunt servanda* — threaten and substantively undermine the process agreed under article 5 of the Interim Accord, as well as the principles of the Charter of the United Nations. Furthermore, the Republic of Macedonia deems that such conduct on the part of the Hellenic Republic can produce far-reaching destabilizing consequences in the region of South-East Europe.

In this respect, I should like to inform you that we have most strongly protested with the Hellenic Republic against the serious infringement of article 11 of the Interim Accord, underlining at the same time the possible ensuing consequences.

I should be grateful if the Security Council members and United Nations Member States were informed about the content of this letter.

Branko **Crvenkovski**

United Nations S/2008/291

Security Council

Distr.: General
2 May 2008

Original: English

Letter dated 2 May 2008 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

As you know, Security Council members agreed today to the proposal of the United Kingdom to hold an open debate in the Council on 20 May.

I have the honour to enclose on behalf of my delegation a concept paper for that debate (see annex).

I should be grateful if this letter and its annex could be circulated as a document of the Security Council.

(*Signed*) John **Sawers**

08-32705 (E) 050508

Annex to the letter dated 2 May 2008 from the Permanent Representative of the United Kingdom of Great Britain and Northern Ireland to the United Nations addressed to the President of the Security Council

Post-conflict stabilization: peace after war

Security Council open debate: United Kingdom concept paper

1. On 20 May 2008 the United Kingdom proposes to convene an open debate of the Security Council to consider the challenges facing the international community in stabilizing countries recovering from conflict and delivering sustainable peace.

The problem

"The first 6 to 12 weeks following a ceasefire or peace accord is often the most critical period for establishing a stable peace" (Brahimi report on peacekeeping, 2000).

2. Nearly 30 per cent of conflicts that end through negotiated settlements restart within five years. Why? For a variety of reasons. Often because the international community has not got its act together in the critical period immediately following a ceasefire and peace agreement. At that point crucial needs have to be met. These include:

- Rapid implementation of the peace agreement to maintain the commitment of the parties
- Re-establishment of stability and the rule of law
- A demonstrable improvement to the lives of local people.

3. Such progress breeds confidence and encourages people to invest in peace. Failure to take such steps invites a relapse into conflict. The international community needs to support national and local State institutions to take responsibility rapidly for the recovery effort.

4. The United Nations and the international community more generally have got better at addressing these challenges. The United Nations integrated missions are ensuring greater coherence. But, despite this, international efforts remain too little, too late and too fragmented.

The objective

5. The aim of this debate is to identify the critical gaps that hamper international efforts to help countries stabilize and build sustainable peace as they emerge from conflict, and how these can best be addressed.

The gaps?

6. We have identified three critical gaps:

(a) Leadership on the ground

7. The successful implementation of Security Council mandates relies on United Nations actors beyond the Department of Peacekeeping Operations. The Department of Political Affairs, the United Nations Development Programme, the Office for the Coordination of Humanitarian Affairs, the Office of the United Nations High Commissioner for Human Rights and the United Nations Children's Fund, among others, all have roles to play.

8. And it's not just about the United Nations. Peace operations depend on the support and cooperation of a range of actors — national Governments and affected populations, neighbouring countries, the international financial institutions, regional organizations, non-governmental organizations and local civil society.

9. The challenge is how to ensure this vast network of actors can operate effectively and coherently, building legitimate and competent national ownership and capacity as quickly as possible.

Questions for discussion

- How can we ensure the whole United Nations system moves into action in the lead-up to a peace support operation or the signing of a peace agreement, so that a fully integrated effort is ready to be launched from Day One?
- How can we better empower Special Representatives of the Secretary-General to lead and coordinate all United Nations efforts in country? Where appropriate, how can we enable them to coordinate international efforts more widely, e.g. in situations like Afghanistan?
- How can we coordinate the planning and running of operations, particularly with regional organizations and the international financial institutions?

(b) Rapidly deployable and skilled civilian capacity

"Where peacebuilding missions require it, international judicial experts, penal experts and human rights specialists, as well as civilian police, must be available in sufficient numbers to strengthen rule of law institutions" (Brahimi report)

10. Soldiers deploy rapidly to underpin ceasefires and peace agreements. Judges, police officers, administrators and other civilian experts are just as important, but deploy much later and in insufficient numbers.

11. The international community often fails to ensure that the right kinds of expertise are rapidly deployed, particularly in hostile or insecure environments. The United Nations, other international organizations and national Governments each have different and at times incompatible arrangements for deploying civilians to the field. The continuing growth in peace operations is making this harder as demand outstrips supply. This is further complicated by the issue of conditions of service for staff: most civilians are hired on contracts for each mission, and cannot build a career within the United Nations. The United Nations can do more to tap into non-governmental and private sector capacity. But the problem is broader than filling United Nations positions: it is about having people who can work for a range of international, national and regional organizations and who can be available to start that work at short notice.

Questions for discussion

- How can Member States best develop cadres of civilian experts that can be called upon to complement military peacekeeping efforts in post-conflict situations?
- How can we enhance the United Nations capacity to deploy police advisers? How can we expand the skills pool to areas such as justice, corrections, security sector reform, governance and economic recovery?
- How can we ensure that international civilian capability uses, supports and builds local capacities wherever possible?

(c) More rapid and flexible funding

12. Current funding instruments or appeal mechanisms do not provide rapid up-front support for the range of recovery and peacebuilding needs in the immediate aftermath of conflict. Humanitarian appeal mechanisms have sometimes included recovery elements, but these tend to be poorly funded. This is particularly true for economic recovery, governance, reintegration, livelihoods and assessment, strategy and coordination support.

13. And it takes too long for stabilization and recovery efforts to begin to take effect: the Multi-donor Trust Fund in the Sudan was established in December 2004 but did not disburse until December 2006 — 24 months after the signing of the Comprehensive Peace Agreement. In Lebanon, the Recovery Fund first disbursed in June 2007, 10 months after the pledging conference and the ceasefire.

14. Discussion of these issues should of course take account of the relevant responsibilities of the General Assembly, the Peacebuilding Commission and the United Nations funds and programmes.

Questions for discussion

- What are the essential needs to help stabilize countries emerging from conflict and to support national and local authorities in delivering a peace dividend? What do we do when everything is urgent?
- What factors hamper the United Nations and the international community's ability to meet these needs, and how can these be addressed?

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Letter dated 1 May 2008 addressed to the President of the Security Council by the Permanent Representative of Spain to the United Nations

Further to my letter of 23 April 2008, I have the honour to inform you that the Spanish fishing vessel *Playa de Bakio*, seized illegally on the high seas on 20 April 2008 off Somali waters, was released on 27 April 2008, together with its 26 crew members, all of whom were unharmed.

After release, the vessel and its crew were escorted by a Spanish naval vessel to Victoria, the capital of the Republic of the Seychelles, from where the crew were repatriated to Spanish territory in a military aircraft.

Although pleased that the seizure was ended successfully, the Government of Spain wishes to reiterate its concern about the impact of the unsafe situation in the waters off Somalia, both on the delivery of the humanitarian aid which this region so needs, and on international shipping, and strongly condemns this and other acts of piracy, which are becoming ever more frequent in the waters off Somalia.

For these reasons, the Government of Spain is actively supporting the initiatives, currently under discussion in the Security Council, to strengthen cooperation among States and the relevant international organizations to combat piracy and armed robbery, with the goodwill and cooperation of the Somali authorities.

Now and in the immediate future, guaranteeing the delivery of humanitarian aid and the security of main shipping routes in the region at all times through appropriate international measures must be a central objective. Any maritime security initiative should be accompanied by a combined and coordinated international technical assistance effort for Somalia and the neighbouring coastal or regional States. The international community should also cooperate closely with the Transitional Federal Government of Somalia to successfully rise to the task of bringing lasting peace and stability to the country. Unless that is achieved, it will be impossible to keep the region free of the maritime piracy and armed robbery currently afflicting it. Concerted action within the United Nations will be vitally important to coping with that challenge.

I should be grateful if you would have the present letter circulated as a document of the Security Council.

(*Signed*) Juan Antonio **Yáñez-Barnuevo**

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